

MINUTES OF THE CONFERENCE CALL MEETING
BOARD OF MASSAGE THERAPY

October 01.2021

1. CALL MEETING TO ORDER AND ROLL CALL

The conference call meeting of the Board of Massage Therapy was called to order by Steven Carper, Vice-Chair, at 9:00 a.m. in the Licensure Unit, Conference Room LL-B, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 9.27.2021.

The following members answered roll call:

Members Present on call (3):

Steven Carper, Vice-Chair (on call)
Michele Helaney, Secretary (on call)
Kristine Roberts, Member (on call)

Members Absent (1):

Mallory Carstens, Member

Others Present (6):

Kris Chiles, Program Manager, Licensure Unit (in LLB)
Carrie Oldehoeft, Board Coordinator (in LLB)
Lisa Anderson, Assistant Attorney General (in LLB)
Teresa Hampton, DHHS Attorney (in LLB)

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Helaney moved, seconded by Roberts, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

Introduction of new member: Kristin Roberts, introduced herself and told some about her professional and personal life.

3. APPROVAL OF MINUTES

MOTION: Helaney moved, seconded by Roberts, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney (2). Voting nay: None (0). Absent: Carstens (1). Abstained: Roberts (1) Motion carried

4. UPDATES AND REPORTS

- a. Nebraska Chapter of the American Massage Therapy Association (NAMTA) <http://www.amtane.org>

Breanna reported the following:

- The 70th Anniversary conference was held virtually September 17 and 18, 2021. The conference had virtual hands on trainings that were received well by all attending. The Ethics portion of the conference was moved to October 16, 2021 at 6 p.m. to 9 p.m., this will be a free session and open to all that want to attend.
- They are considering updated the definition of Massage without changing the scope. Chiles gave information on how to reach Matt Gelvin as he over sees the 407.
- Members are reporting back that they have concerns on the process for reporting other professionals and how to get results, Chiles gave the information to reach Professional Occupational Licensure unit.

b. Federation of State Massage Therapy Boards (FSMTB) <https://www.fsmtb.org>

FSMTB Annual Meeting which was scheduled for 10.7-9.2021, in Charlotte, NC, was changed to a virtual conference due to COVID concerns. Carper will attend the conference as a Nebraska Board representative.

The initial meeting regarding establishing a compact license was in May and they had a technical meeting in September. There was no further update on the compact license work until after the conference in October.

c. Executive Order 21-12 and Directed Health Measures

<https://dhhs.ne.gov/licensure/Pages/Cosmetology-and-Esthetics.aspx>

Chiles gave an update on the current Executive Order which was put into effect on August 26, 2021, Nebraska Governor Pete Ricketts issued Executive Order 21-12 (expiring December 31, 2021), which provides waivers of specific statutes and applicable regulations due to a hospital capacity emergency.

Following highlights a few of the waivers:

- This is a time sensitive Executive Order, the order has an end date of December 31, 2021.
- Suspends the Continuing Competency/Continuing Education requirements for renewal for the several license types and allows for the waiver for unforeseen circumstances and no limit to the homestudy/online hours at this time.
- If exam's are limited in availability, credentials could be issued on a Provisional full credential, with proof they have applied for an exam.

d. LANCE (Nebraska Licensing and Certification Environment)

Chiles reported that the Licensure Unit is moving to an internet based licensing system starting late 2021 and implementation ending 2022 called **LANCE** (Nebraska Licensing and Certification Environment).

LANCE will provide 24/7/365 access to real time license-related data, and provide licensees and applicants access to online services such as: application submission, uploading documents, renewal and reinstatement submissions, receiving automatic notifications of upcoming events and application status, updating contact information, and paying fees by credit/debit card or ACH through a PC, tablet, or phone.

An email address is required for licensees and applicants to utilize the on-line services in **LANCE** and to obtain important licensing information via automated notifications. Licensees will be receiving a postcard in the near future asking licensees to update demographics if out-dated.

Massage will be part of the first release in December.

Post Cards are being sent to verify the information currently in the License system regarding address, phone and emails.

e. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non Disciplinary Information, and School Report

Date of Reports: 1.1.2021 to 9.14.2021 attached to agenda

5. CLOSED SESSION

Investigative Reports and Other Confidential Information

MOTION: Roberts moved, seconded by Helaney, to enter into closed session at 9:45 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Carper repeated the motion and purpose. A roll call vote was taken. : Helaney

moved, seconded by Roberts, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

9:47 a.m. Anderson exited the room
9:55 a.m. Hampton exited the room
9:55 a.m. Anderson entered the room

6. OPEN SESSION

Review, Recommendations, and Report Out (Applications, Mail Ballot Voting Results, and Reinstatements)

Members agreed to return to open session at 10:18 a.m.

Xiangju Zhao – Reinstatement from Discipline

MOTION: Helaney moved, seconded by Roberts, to deny the reinstatement application terms based on insufficient evidence was provided to support reinstatement. A roll call vote was taken: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

AKSARBEN MASSAGE THERAPY ASSOCIATES -Reinstatement

MOTION: Helaney moved, seconded by Carstens, to recommend issuance, to recommend a 1-year probationary reinstatement with the following terms and conditions: Successfully complete the jurisprudence examination and the Standard Terms and Conditions of probation. Basis: Unlicensed operation. A roll call vote was taken. A roll call vote was taken: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

Jeffrey White - Reinstatement

MOTION: Roberts moved, seconded by Helaney, to defer the recommendation and request additional information. A roll call vote was taken: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

7. ADJOURNMENT

The next meeting is scheduled for December 3, 2021 and will be set as a conference call. There was no further business, Carper declared the meeting of the Board of Massage Therapy adjourned at 10:22 a.m.

Submitted by Mallory Carstens, Secretary
Board of Massage Therapy

Minutes drafted by Licensure Unit